

**WILLMAR PLANNING COMMISSION
CITY OF WILLMAR, MN
WEDNESDAY, SEPTEMBER 15, 2021**

MINUTES

1. The Willmar Planning Commission met on Wednesday, September 15, 2021, at 6:30 p.m. at the Willmar City Offices Conference Room #1.

**** Members Present:** Johnathan Marchand, Justice Walker, Jeff Kimpling, Cletus Frank, Khalif Ahmed Bashir, Steven Dresler, and Terry Sieck, Stephanie Carlson

**** Members Absent:**

**** Others Present:** Kayode Adiatu – Planner, Willard Huyck – Main Street Coordinator, Sarah Swedburg – EDC, Jim Bach – Marcus Construction, Bill Parker – Leafline Labs, Jared Voge – Bolton & Menk, Josh Johnson – Bollig Inc.

2. MINUTES: Minutes of the September 1, 2021 meeting were approved as presented. Motioned by Commissioner Kimpling, seconded by Commissioner Carlson.
3. RDC National, Inc. Rezone G to I-1 – File 21-03: Ms. Swedburg presented an application from Matthew Runke of Bonnema Runke Stern Inc on behalf of RDC National Inc. to rezone the following property from G (Government/Institution) to I-1 (Limited Industry): Beginning at the NW corner of Block 2 Willmar Industrial Park Fourth Addition; thence south 916.02 ft; thence west 300.50 ft; thence north 916.02 ft; thence east 300.50 to point of beginning.

The requested zoning would allow for the construction of a large distribution center with a Land Use Plan Review. On August 16, 2021, City Council adopted a resolution supporting this application to rezone this unplatted 6.3-acre site west of the City's Industrial Park Fourth Addition.

Staff recommended that the Commission approve the rezone and forward the item to City Council for Ordinance introduction and adoption.

Chairman Marchand opened the matter for public hearing and discussion.

Commissioner Dresler asked whether the project would affect a nearby creek.

Mr. Johnson of Bollig Inc. explained the procedure for assessing that impact within the permitting process. Ms. Swedburg emphasized that will not be any development in the area in question for the time being.

Chairman Marchand asked for a motion on the rezone.

Commissioner Carlson motioned to approve the rezone. Commissioner Frank seconded. The rezone was approved 7-0 and forwarded to City Council for Ordinance introduction and adoption.

4. RDC National, Inc. Major Subdivision File 21-04: Ms. Swedburg presented an application filed by Matthew Runke of Bonnema Runke Stern Inc on behalf of RDC National Inc for a major subdivision at the property legally described as: Blocks 2 and 3, Willmar Industrial Park Fourth Addition, also part of 32nd St SW (to be vacated), and part of the Southeast ¼ of Section 17, Township 119, Range 35 described as follows: Beginning at the Northwest corner of Block 2, Willmar Industrial Park Fourth Addition; thence South 916.02 feet; thence West 300.50 feet; thence North 916.02 feet; thence East 300.50 feet to point of beginning.

The location in question is the site of a proposed logistics facility.

Ms. Swedburg reviewed comments from the Fire Department, Police Department Willmar Municipal Utilities, Kandiyohi County Engineering and City Engineering.

Staff recommended that the Commission approve the preliminary and final plat with the following conditions and forward action onto the City Council for review and approval:

- A. Park Dedication or Cash in Lieu shall be paid or dedicated prior to recording of final plat, as formalized in a Development Agreement between the City of Willmar and RDC National, Inc.
- B. All comments from the Fire Marshall, Police Chief, Willmar Municipal Utilities (WMU) and Kandiyohi County Engineer shall be met, adhered to or amendments approved by City Staff, and additional information supplied as requested prior to issuance of building permits.
- C. All other land use, land sale, and associated agreements or authorizations for RDC National Inc's proposed logistics facility development shall be approved by Planning Commission and/or City Council, as applicable.
- D. Developer shall successfully close on its purchase of real property from the City and record the quit claim deed evidencing such conveyance with the Kandiyohi County Recorder.
- E. The final plat shall be submitted to City Staff and approved prior to recording.

Chairman Marchand opened the item to public hearing and discussion.

Commissioner Frank inquired as to the status of the development agreement.

Ms. Swedburg explained that the document was being reviewed and that it was tentatively scheduled to be brought before City Council in October.

Chairman Marchand, Commissioner Carlson and Commissioner Frank raised questions about city and public access points at the site.

Ms. Swedburg detailed the plans and requirements for establishing city access points and public utilities in the area.

Commissioner Frank suggested that Condition B be edited to require adherence to comments from the Willmar City Engineer.

Commissioner Frank suggested adding a condition requiring the approval of the development agreement by City Council and city staff.

Chairman Marchand asked for a motion on the major subdivision.

Commissioner Frank motioned to approve the major subdivision. Commissioner Walker seconded. The preliminary and final plat were approved 7-0 with the following conditions and forwarded to City Council for review and approval:

- A. Park Dedication or Cash in Lieu shall be paid or dedicated prior to recording of final plat, as formalized in a Development Agreement between the City of Willmar and RDC National, Inc.
 - B. All comments from the Fire Marshall, Police Chief, Willmar Municipal Utilities (WMU), City of Willmar Engineering and Kandiyohi County Engineer shall be met, adhered to or amendments approved by City Staff, and additional information supplied as requested prior to issuance of building permits.
 - C. All other land use, land sale, and associated agreements or authorizations for RDC National Inc's proposed logistics facility development shall be approved by Planning Commission and/or City Council, as applicable.
 - D. Developer shall successfully close on its purchase of real property from the City and record the quit claim deed evidencing such conveyance with the Kandiyohi County Recorder.
 - E. The final plat shall be submitted to City Staff and approved prior to recording.
 - F. Approval of the development agreement by City Council and City Staff.
5. Leafline Labs Drive Through Window Plan Review – File 21-07: Mr. Huyck presented a plan review application filed by Marcus Construction on behalf of Leafline Labs for the construction of a drive through window at the property legally described as follows: Lot 0 Block 0. PT NW1/4 NW1/4 COM AT SW COR OF SAIDNW1/4, TH N 1785', TH E 33' TO PT OF BEG, TH CONT E 201', TH S 135', TH W 201', TH N 135' TO PT OF BEG.

The location is an existing medical cannabis dispensary.

Staff recommended that the commission approve the plan review with the following condition:

- A. The use shall meet all applicable local, state, and federal rules and regulations at all times.

Chairman Marchand opened the item for discussion.

Commissioner Walker asked about the facility's capacity for stacked parking and the expected impact on traffic.

Mr. Parker of Leafline Labs noted that traffic in the parking lot is generally low and that he didn't expect the drive-through window to create any traffic or parking issues.

Commissioner Frank asked whether the property's driveway was wide enough for the expected traffic.

Mr. Bach of Marcus Construction confirmed that it was.

Commissioner Carlson expressed appreciation for the fact that this feature will make the location more accessible to people with low mobility.

Chairman Marchand asked for a motion on the plan review.

Commissioner Dresler recused himself from the vote.

Commissioner Carlson motioned to approve the plan review. Commissioner Walker seconded.

Chairman Marchand read the findings of fact.

The plan review was approved 6-0 with the following condition:

- A. The use shall meet all applicable local, state, and federal rules and regulations at all times.

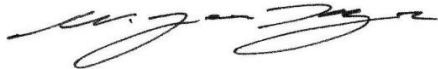
6. Miscellany:

Mr. Huyck introduced himself to the Commission.

Mr. Adiatu expressed excitement to have returned from leave.

There being no further business to come before the Commission, the meeting adjourned at 7:12 p.m.

Best Regards,

A handwritten signature in black ink, appearing to read 'Willard Huyck', with a stylized, cursive script.

Willard Huyck
Main Street Coordinator

PLANNING COMMISSION – SEPTEMBER 15, 2021
STAFF COMMENTS

1. RDC NATIONAL INC REZONE G TO I-1 – FILE NO 21-03

- The applicant is Matthew Runke of Bonnema Runke Stern Inc on behalf of RDC National Inc
- Being requested is a map amendment rezoning of G (Government/Institution) to I-1 (Limited Industry) on property described as: Beginning at the NW corner of Block 2 Willmar Industrial Park 4th Add; thence south 916.02 ft; thence west 300.50 ft; thence north 916.02 ft; thence east 300.50 to point of beginning.
- The property is owned by the City and is currently undeveloped, old airport property.
- On August 16, 2021, City Council adopted a resolution supporting this application to rezone this unplatted 6.3-acre site west of the City's Industrial Park 4th Addition.
- The requested zoning would allow for the construction of a large distribution center with a Land Use Plan Review.
- Accompanying this rezoning are Major Subdivision, Vacation of Easements, and Plan Review applications for the Planning Commission and City Council's review.
- The properties to the East in the Willmar Industrial Park 4th Addition are zoned I-1 (Limited Industry) and properties to the West are zoned G (Government/Institution)
- This rezone is consistent with the intent for this area to be an Industrial Park.
- A purchase agreement between the City of Willmar and RDC National Inc was approved on August 16, 2021, and an ordinance to authorize the sale of land was adopted by City Council on September 7, 2021 following the Planning Commission's review on August 4, 2021. A plan review was approved by the Planning Commission on September 1, 2021, along with recommendation for approval of the vacation of easements. The City Council has set a public hearing for final review of the vacation of easements for September 20, 2021.

RECOMMENDATION: Approve the rezone and forward it onto the City Council for Ordinance introduction and adoption.

2. RDC NATIONAL INC. MAJOR SUBDIVISION – FILE NO 21-04

- The applicant is Matthew Runke of Bonnema Runke Stern Inc on behalf of RDC National Inc
- The applicant is requesting a major subdivision of Industrial Park property, legally described as: Blocks 2 and 3, Willmar Industrial Park 4th Addition, also part of 32nd St SW (to be vacated), and part of the Southeast ¼ of Section 17, Township 119, Range 35 described as follows: Beginning at the Northwest corner of Block 2, Willmar Industrial Park 4th Addition; thence South 916.02 feet; thence West 300.50 feet; thence North 916.02 feet; thence East 300.50 feet to point of beginning.
- The property is owned by the City of Willmar.
- A purchase agreement between the City of Willmar and RDC National Inc was approved on August 16, 2021, and an ordinance to authorize the sale of land was adopted by City Council on September 7, 2021 following the Planning Commission's review on August 4, 2021. A plan review was approved by the Planning Commission on September 1, 2021, along with recommendation for approval of the vacation of easements. The City Council has set a public hearing for final review of the vacation of easements for September 20, 2021.
- The property is zoned G (Government/Institution) and I-1 (Limited Industry). A rezoning application has been submitted, requesting all property to be zoned I-1.
- The proposed use (Logistics Facility) is allowed in an I-1 zone with a Plan Review.
- The subdivision meets the requirements of a Major Subdivision

- All lot size and width standards are met
- No park dedication fees were paid on previous plats. These fees will be included in a development agreement that is currently being drafted by the City Attorney.
- Comments from the Fire Marshall, Police Chief, Willmar Municipal Utilities (WMU) and Kandiyohi County Engineer were submitted as follows:

Fire Chief/Fire Marshall: Depending on the size of the building, additional fire hydrants may be necessary along with access roads around the building

Police Chief: No objections from the Willmar PD view. Dependent on type of business (number of employee vehicles, number of business vehicles, time of operation, etc.) there may be a need for different traffic control devices leading onto CR 5. From this, it would appear that both Trott Ave SW and Willmar Ave SW would be access points.

WMU: Reviewed the preliminary Plat and do not see any problems from the electric and water side of things. The only thing that comes to mind is that we just wanted to mention that I understand that the cost of the water and electric that needs to be vacated on 32nd St SW will be on the developer.

Kandiyohi County Engineer:

3. Access approaches into the site need to be 230' (minimum) west of Co. Rd 5 for both Willmar Ave. and Trott Ave.
4. Access – No access points into the site will be allowed between Willmar Ave. and Trott Ave. along Co. Rd. 5.
5. Has there been a Traffic Impact Study done and if so, I would like to have a copy?
6. Radii on both Willmar Ave. and Trott Ave. at Co. Rd 5 need to be checked against the design vehicle and adjusted accordingly.
7. Signal improvements, if warranted, would be the responsibility of the developer and only allowed at the Willmar Ave. Intersection with Co. Rd. 5. If installed they would be City owned/operated.
8. Public Improvements - Would recommend developer pay to extend street and utilities to the west end of the plat (especially the Trott Ave. extension).
9. TH 40 is currently listed in the 2029 MnDOT STIP for improvements.
10. In lieu of participating with any public improvements associated with the development, the county would consider adding this section of roadway into our 5-year plan for an overlay.
11. Storm Sewer outfall – the public storm water appears to be draining through the site via a private easement. Suggest adding wording to allow this section to be accessed by the City.

City Engineer:

1. The Preliminary Plat shall include the site legal description. In addition, a legal description for the property outside of the Industrial Park 4th Addition shall be provided.
2. A surveyor certification shall be included on the Preliminary Plat.
3. The plat preparation date shall be clearly noted.
4. The names and addresses of the property owner, subdivider, and designer of the plat should be included on the Preliminary Plat.
5. The Preliminary Plat shall include a full boundary line survey with dimensions to government monuments.
6. The location and size of all streets and utilities, along with applicable elevation information shall be shown on the plat.

7. Right of Way shall be extended along Trott Avenue SW and Willmar Avenue SW to the western plat boundary.
8. Adjacent street widths shall be shown on the Preliminary Plat.
9. Construction, stormwater management, grading, paving, and utility plans shall be submitted for review by the City of Willmar prior to final plat approval.
10. The applicant shall obtain all necessary permits for the development.
11. All drainage and utility easements shall be public.
12. Trott Avenue SW and Willmar Avenue SW street surfaces and utilities shall be extended to the western plat boundary.
13. Traffic data/analysis shall be provided for the proposed development.
14. All Kandiyohi County comments shall be addressed.
15. The applicant shall enter into a development agreement with the City of Willmar.
16. All proposed stormwater ponds shall be contained within easements.

RECOMMENDATION: Approve the preliminary and final plat with the following conditions and forward action onto the City Council for review and approval:

- A. Park Dedication or Cash in Lieu shall be paid or dedicated prior to recording of final plat, as formalized in a Development Agreement between the City of Willmar and RDC National, Inc.
- B. All comments from the Fire Marshall, Police Chief, Willmar Municipal Utilities (WMU) and Kandiyohi County Engineer shall be met, adhered to or amendments approved by City Staff, and additional information supplied as requested prior to issuance of building permits.
- C. All other land use, land sale, and associated agreements or authorizations for RDC National Inc's proposed logistics facility development shall be approved by Planning Commission and/or City Council, as applicable.
- D. Developer shall successfully close on its purchase of real property from the City and record the quit claim deed evidencing such conveyance with the Kandiyohi County Recorder.
- E. The final plat shall be submitted to City Staff and approved prior to recording.

3. LEAFLINE LABS DRIVE-THROUGH PLAN REVIEW – FILE NO 21-07

- The applicant is Marcus Construction, on behalf of Leafline Labs of Willmar, MN.
- The applicant is requesting a plan review to allow a drive through window at an existing medical marijuana provider development on the property described as follows: Lot 0 Block 0. PT NW1/4 NW1/4 COM AT SW COR OF SAIDNW1/4, TH N 1785', TH E 33' TO PT OF BEG, TH CONT E 201', TH S 135', TH W 201', TH N 135' TO PT OF BEG
- The property is zoned GB (General Business).
- The window will be located on the north side of the building. Users will be routed around the building in a counterclockwise direction, starting at the northwest corner of the property.
- The project will also include a new concrete pad and new sidewalk and parking lot paving.
- All setback, lot size, and width standards are met.
- This project does not affect the property's parking availability. 17 parking spaces are required and 18 parking spaces are provided, 2 of which are reserved for handicap parking.

RECOMMENDATION: Approve plan review with the following conditions:

- A. The use shall meet all applicable local, state, and federal rules and regulations at all times.